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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,225	02/24/2004	Nicolas Neyret	Q79932	1584
23373	7590	11/16/2005	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			ADDY, ANTHONY S	
			ART UNIT	PAPER NUMBER
			2681	

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/784,225	Applicant(s) NEYRET ET AL.	
	Examiner Anthony S. Addy	Art Unit 2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>02/24/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1, 2, 3, 4 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by **Amereller et al., U.S. Publication Number 2001/0039188 A1 (hereinafter Amereller)**.

Regarding claim 1, Amereller teaches a method enabling a mobile user having a terminal at least able to connect to a public land mobile network and a terminal at least able to connect to a wireless local area network forming part of a private network on switching between said public land mobile network and said private network to receive calls via the network more suited to his location (see paragraph 0007, line 1 through paragraph 0009, line 4, paragraph 0022, line 1 through paragraph 0024, line 12 and Figures 1 & 2), which method consists in: determining if said terminal able to connect to said wireless local area network is present in or absent from the coverage area of said wireless local area network (see paragraph 0012, line 1 through paragraph 0014, line 7, paragraph 0027, lines 1-9 and paragraph 0030, lines 1-11), and activating call forwarding to a predetermined call forwarding number when said terminal at least able to connect to a wireless local area network is present in said coverage area of said wireless local area network and then deactivating call forwarding when said terminal is

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no longer present in said coverage area of said wireless local area network (see paragraph 0027, line 1 through paragraph 0031, line 26), and which method further consists in, for activating call forwarding: determining the location of a user in one of a plurality of cells of said wireless local area network (see paragraph 0010, line 1 through paragraph 0011, line 14, paragraph 0027, lines 1-9 and paragraph 0031, lines 18-26), reading a plurality of call forwarding numbers stored in a table at an address corresponding to said user (see paragraph 0025, line 6 through paragraph 0026, line 14, paragraph 0031, lines 1-14, paragraph 0033, lines 1-11 and Figures 1 & 2; shows a call diversion table TAB) and selecting one of said call forwarding numbers as a function of a presence indication designating one of a plurality of cells constituting said wireless local area network (see paragraph 0029, line 1 through paragraph 0033, line 22).

Regarding claim 2, Amereller teaches all the limitations of claim 1. In addition, Amereller teaches a method, further comprising writing in said table, for each user authorized to receive calls via the network more suited to his location (see paragraph 0025, line 6 through paragraph 0026, line 4 and paragraph 0033, lines 1-11): a number specific to said terminal at least able to connect to a public land mobile network and enabling said terminal to be called in said public land mobile network (see paragraph 0026, lines 1-4 and paragraph 0033, lines 1-11), a plurality of call forwarding numbers corresponding to a plurality of respective cells of said wireless local area network in which said user may be located (see paragraph 0032, line 1 through paragraph 0033, line 22), and a presence indication designating one of a plurality of cells constituting said wireless local area network (see paragraph 0025, line 6 through paragraph 0028,

line 5 and paragraph 0033, lines 1-22).

Regarding claim 3, Amereller teaches all the limitations of claim 2. In addition, Amereller teaches a method, further comprising writing in a table of an application server a new presence indication for each user whose location has changed (see paragraph 0034, line 1 through paragraph 0035, line 9).

Regarding claim 4, Amereller teaches all the limitations of claim 1. In addition, Amereller teaches a method, wherein a call forwarding number corresponds to a terminal of a fixed network (see paragraph 0025, lines 6-13, paragraph 0026, lines 1-4 and paragraph 0029, lines 1-10).

Regarding claim 6, Amereller teaches all the limitations of claim 1. In addition, Amereller teaches an application server for implementing a method (see paragraph 0022, lines 1-4, paragraph 0025, lines 1-6 and Figures 1 & 2; shows a switching device V, which is used to control the setting up of connections and the routing of connections to mobile terminals automatically via base stations which are connected to it and which reads on an application server), said server comprising means for, when a terminal adapted to connect to said wireless local area network becomes present in the coverage area of a wireless local area network: sending a public land mobile network a call forwarding activation message containing: a number specific to a terminal at least able to connect to a public land mobile network and enabling it to be called in said public land mobile network, and a call forwarding number (see paragraph 0026, lines 1-14 and paragraph 0031, line 1 through paragraph 0033, line 11), and sending said public land mobile network a call forwarding deactivation message containing said

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number specific to said terminal at least able to connect to a public land mobile network and enabling it to be called in said public land mobile network when said terminal adapted to connect to said wireless local area network is no longer present in the coverage area of said wireless local area network, in which server said means for sending a public land mobile network a call forwarding activation message include (see paragraph 0027, line 1 through paragraph 0031, line 26): a table containing a plurality of call forwarding numbers for at least one user (see paragraph 0025, line 6 through paragraph 0026, line 14, paragraph 0031, lines 1-14, paragraph 0033, lines 1-11 and Figures 1 & 2; shows a call diversion table TAB), and means for selecting one of said call forwarding numbers as a function of a presence indication designating one of a plurality of cells constituting said wireless local area network (see paragraph 0029, line 1 through paragraph 0033, line 22).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Amereller et al., U.S. Publication Number 2001/0039188 A1 (hereinafter Amereller)
as applied to claim 1 above, and further in view of **Graham, U.S. Publication Number 2003/0060215 A1 (hereinafter Graham).**

Regarding claim 5, Amereller teaches all the limitations of claim 1. Amereller further teaches a method of determining if the location of the user is present in or absent from the coverage area of said wireless local area network (see paragraph 0010, line 1 through paragraph 0014, line 7, paragraph 0027, lines 1-9 and paragraph 0030, lines 1-11).

Amereller fails to explicitly teach a method of obtaining from each successive radio access point of a wireless local area network the number of terminals present in its coverage area, then, for each radio access point of said wireless local area network, obtaining n times from said access point an identifier specific to a terminal, where n is the number of terminals present in the coverage area of said radio access point, and receiving and then storing said identifiers and comparing them with identifiers previously stored to deduce from the result of the comparison which terminals have become present and which terminals have become absent in the coverage area of said wireless local area network.

Graham, however, teaches a method of providing presence and location information of subscribers of a wireless communication system in a geographic area on a subscriber's wireless mobile station (see paragraph 0006, lines 1-5 and Fig. 4), wherein each successive radio access point of a wireless local area network obtains the number of terminals present in its coverage area, then, for each radio access point of said wireless local area network, obtaining n times from said access point an identifier specific to a terminal, where n is the number of terminals present in the coverage area of said radio access point (see paragraph 0053, line 1 through paragraph 0055, line 10

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and paragraph 0058, line 1 through paragraph 0062, line 3), and receiving and then storing said identifiers and comparing them with identifiers previously stored to deduce from the result of the comparison which terminals have become present and which terminals have become absent in the coverage area of said wireless local area network (see paragraph 0063, lines 1-17 and Fig. 4).

It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to modify Amereller with Graham, in order to determine the number of subscribers in each cell of a geographic area, and provide an image indicating the presence and locations of subscribers of a wireless communication system in a geographic area on a subscriber's wireless mobile station as per the teachings of Graham (see paragraph 0006, lines 1-5).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Milton et al., U.S. Publication Number 2004/0234063 A1 discloses method for forwarding calls to multiple telephone numbers.

Sayers et al., U.S. Patent Number 6,807,431 discloses method and apparatus for integrated wireless communications in private and public network environments.

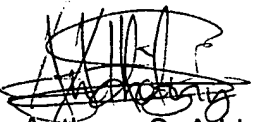
Mooney et al., U.S. Patent Number 6,944,442 discloses wireless phone forwarding based on phone location.

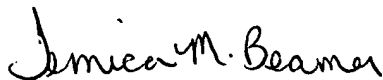
Campbell, U.S. Publication Number 2005/0003830 A1 discloses smart telephone call routing for wireless communication devices.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony S. Addy whose telephone number is 571-272-7795. The examiner can normally be reached on Mon-Thur 8:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Anthony S. Addy
November 7, 2005


TEMICA BEAMER
PRIMARY EXAMINER
11/10/05